

REMARKS

- Claims 1-24 are currently pending.
- Claims 1, 16 and 20 have been previously amended.
- Claims 1, 16 and 20 are the pending independent claims.

Rejection of Claims 1-24 under 35 U.S.C. 103(a)

Claims 1-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over JP 09-152569 to Masayoshi et al. (hereinafter "*Masayoshi*"). Applicants respectfully traverse this rejection.

On page 2 of the Office Action, the Examiner acknowledges that *Masayoshi* does not teach the feature of edge sensors contacting the substrate. However, the Examiner goes on to cite the *Honma* reference (U.S. Published Patent Application No. 2006/0145711) for the notion that "contact operation would be obvious to those of skill in the art." In particular, the Examiner cites *Honma* as disclosing "[a] displacement sensor [that] is not limited to a non-contact sensor but instead can be of a contact sensor." See *Honma*, para. 24.

Honma refers to detecting displacement of the bottom surface of a wafer support in a direction perpendicular to the major surface of a supported wafer (i.e., it detects sinking). It is submitted that *Honma* does not provide any teaching or suggestion from which one skilled in the art would arrive at the notion of contacting the edge of a substrate (i.e., in a direction parallel to the major surface of the substrate). In other words, it is respectfully submitted that the citation of *Honma* does not provide the Examiner with legally sufficient, *prima facie* support for the conclusion that one skilled in the art, in view of the optical sensor of *Masayoshi*, would apply the notion of "contact operation" taken from *Honma* to arrive at the

claimed subject matter of detecting the edge of a substrate contacting the edge of the substrate. Particularly in view of the different principles of operation involved in the cited references, e.g., perpendicular motion (*Honma*) versus parallel motion (as claimed), it is submitted that the teachings of *Honma* do not provide suitable evidence for the Examiner's contention that the claimed subject matter would be obvious to those of skill in the art over the teachings of *Masayoshi*. See *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). MPEP § 2143.01(VI).

Lastly, it is noted that in the prior Office Action of October 12, 2006, the Examiner cited the *Barringer* reference (U.S. Patent No. 6,034,524) in a §103 rejection, which teaches probes that contact a major surface of the substrate. Since it is believed that the amendments made in the responsive amendment to the previous Office Action overcame the rejection based on *Masayoshi* and *Barringer*, it would appear that the amendments and arguments made in the prior amendment apply that much more strongly with regard to *Masayoshi* alone, with the teachings of *Honma*, which is arguably less pertinent than *Barringer*, provided as mere evidentiary support.

For these reasons, it is submitted that the *Masayoshi* reference does not render obvious the subject matter of claims 1-24. Withdrawal of the §103 rejection of the pending claims based on *Masayoshi* is accordingly respectfully requested.

Conclusion

Applicants believe the claims are now in condition for allowance, and respectfully request reconsideration and allowance of the same. Applicants do not believe any additional fees are due regarding this Amendment. However, if any additional fees are required, please charge Deposit Account No. 04-1696.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Howard Grossman".

Howard Grossman
Registration No. 48,673
Dugan & Dugan, PC
Attorneys for Applicants
(914) 332-9081

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Tarrytown, New York